

M e m o r a n d u m

Date: July 8, 1998

To: CALFED Policy Group

From: Lester A. Snow
Executive Director

Subject: Adding Suisun Marsh Levees to CALFED Program

Summary

An issue has been raised by the Department of Fish and Game in the Agency Revision Team (ART) regarding the expansion of the CALFED Program to include the levees in the Suisun Marsh. This issue was discussed by ART but concurrence was not reached; therefore, the issue is being elevated to the CALFED Policy Group for decision. DFG proposes all of Suisun Marsh levees be included in the levee program. CALFED Program staff recommends that a decision be delayed until information is obtained on the costs and benefits of doing so, and clarifying the linkages to the CALFED objectives.

This issue was discussed at the July 1 CALFED Management Team meeting. Management Team generally supported the addition of the levees in the Suisun Marsh (Option 1) but asked that additional information be provided at the Policy Group meeting on: (1) the linkages of Suisun Marsh levees to the CALFED mission and objectives, and (2) the feasibility of adding the levees in the time frame of the Revised Draft EIS/R.

Detailed Discussion

The ART was established to discuss and if possible resolve issues that the CALFED agencies have regarding the CALFED Program and Draft Programmatic EIS/EIR. If issues could not be resolved by ART, then those issues would be elevated to the CALFED Management Team and Policy Group for resolution. ART has discussed and resolved or established a process to resolve numerous issues. At this time one issue has been identified that needs to be elevated for resolution. Additional issues may be elevated at the next Management Team and Policy Group meetings.

CALFED Agencies

California The Resources Agency
Department of Fish and Game
Department of Water Resources
California Environmental Protection Agency
State Water Resources Control Board

Federal Environmental Protection Agency
Department of the Interior
Fish and Wildlife Service
Bureau of Reclamation
U.S. Army Corps of Engineers

Department of Agriculture
Natural Resources Conservation Service
Department of Commerce
National Marine Fisheries Service

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Please see the attachment for discussion of the issue including background, description of the options and pros and cons of each option.

Action

The Policy Group is being asked to make a decision on one of the options described in the Attachment. The DFG has proposed Option 1 to include all of the Suisun Marsh in the levee program (except for the subsidence control and seismic risk portions of the program).

CALFED Program staff recommends Option 3 — Delay a decision until additional information on the benefits and linkages to the CALFED objectives and the costs of adding the Suisun Marsh levees is available (early 1999 before Final EIS/R).

Attachment

EXTENSION OF THE CALFED PROGRAM TO INCLUDE THE SUISUN MARSH LEVEES

July 7, 1998

Statement of Issue

To what extent should the Suisun Marsh levees be included in the levee program or the Ecosystem Restoration Program?

Background

The scope of the CALFED Levee System Integrity Program includes the legally defined Delta and approximately 12 miles of Suisun Marsh levees. The CALFED levee program has adopted the existing Delta levee program, authorized by AB 360, which includes 12 miles of levee within the Suisun Marsh as eligible for special-projects funding. The remainder of the exterior Suisun Marsh levees (approximately 230 miles), however, currently are not included in the AB 360 program or CALFED.

Exterior levee integrity protects seasonal wetlands, duck clubhouses, roads, recreation sites, and State Water Project infrastructure. Ensuring exterior levee integrity in the Suisun Marsh is critical to sustaining seasonal wetland values provided by the Marsh's managed wetlands. Improved levees would ensure that conversion to tidal wetlands will not be due to levee failure, but instead, will be planned with consideration of landowner support, ERP targets, regional wetland goals, and endangered species recovery plans.

Concerns. We have identified four concerns regarding the addition of the Suisun Marsh levees to the CALFED Program:

1. Link to CALFED Objectives: The benefits of adding the Suisun Marsh levees to the CALFED Program have not been fully evaluated. There are potential linkages to the levee, ecosystem and water quality programs.
- The *Ecosystem Restoration Program* includes protection and enhancement of the Suisun Marsh seasonal wetlands in the program but does not explicitly target funding for levee work necessary to maintain seasonal wetlands. In addition, the ERP proposes creation of 1,500 acres of tidal wetlands in the Suisun Marsh or Bay which may result in conversion of seasonal wetlands to tidal which would be mitigated. Although levee funding is consistent with the ERP's seasonal wetland targets it may not receive high priority in competition for ERP funding. Priorities have not been set for ERP funding but early ecosystem funding has generally been directed at aquatic species because of the more direct link to "fixing the Delta."

- The link to the Delta *water quality* is not known at this time but modeling studies by the Department of Water Resources are being conducted which will provide additional information. Early indications are that there could be significant benefits to protection of Delta water quality from improved maintenance of Suisun Marsh levees.
 - The potential linkages to the *levee program* are the same as described above with the ecosystem and water quality program—in that providing the levee protections could result in ecosystem and water quality benefits.
 - There are no linkages to the *water supply reliability* objective of CALFED and Suisun Marsh levees.
2. Competition for Funds: Expansion could result in the limited funding available to the Levee Program being diluted further and in insufficient funding for the Delta itself. Delta stakeholders are generally opposed to any action that would diminish the available funding needed to protect the Delta's levees.
 3. Coordination of Tidal and Seasonal Wetland Strategies: The ERP has objectives for protections and restoration of both tidal and seasonal wetlands in the Suisun Marsh. For tidal wetlands, the levees would likely need to be maintained to a different configuration or standard than for seasonal wetlands. Therefore, before funding is provided for levee protection there needs to be a more specific plan on where seasonal wetlands would be continued and where tidal wetlands may be restored.
 4. Environmental Impact Analysis Workload: To add the Suisun Marsh levee to the CALFED levee or ecosystem program, there will need to be an assessment of the environmental impacts added to the Revised Draft EIS/R by September 1998. This work has not been scheduled and would be added to a full workload and identified as a critical path task for either CALFED or DFG (approximately \$15,000).

Options for Resolving Issue

Option 1: Expand Scope of Levee Program in the Suisun Marsh

Approve extension of selected elements of the Levee Program to the Suisun Marsh and include sufficient additional funding through the CALFED Levee Program to ensure no conflict with Delta needs.

Modified versions of the Base Level Protection Plan and Special Improvement Projects, and the Emergency Management Plan elements would be extended to the Marsh. The other components, Subsidence Control Plan and Seismic Risk Assessment, would not be. The PL-99 standard would not apply to the Marsh. An alternate standard, based on the existing levee criteria for the Suisun Marsh, would be selected to ensure that Marsh wetland managers would continue to be eligible for post disaster rehabilitation assistance. A separate funding sub-account would be established so that sufficient funding would be provided to implement this extension

without diverting funds needed to support all components of the Levee Program in the Delta. Part of this option includes the development of a more refined description of this program component and a projected cost estimate.

Pros

- Ensures that the seasonal wetland implementation objectives and targets for the Suisun Marsh contained in the ERP would be met.
- Contributes to fostering support for CALFED from stakeholders in the Marsh.

Cons

- Increases costs for the CALFED Program by an unknown amount. Cost estimates for Suisun Marsh levee work are unknown at this time.
- Funding may be provided for levee work that may not be the highest priority for meeting CALFED objectives.
- Additional technical evaluation of the potential impacts needs to be done before the Revised Draft EIS/R is released, adding to an already full workload for CALFED or DFG.

Option 2: Add Levee Protection Actions to ERP

The protection of the seasonally managed wetlands within the Suisun Marsh are included in the ERP. While levee protection is a component of protection for the seasonal wetlands, funding for this action is not explicitly specified in the ERP. This option would add explicit language to the ERP and include sufficient additional funding through the ERP so that the seasonal wetlands implementation objectives and targets in the ERP can be met.

Pros

- At this time the link to the CALFED ecosystem restoration program is most direct of all the CALFED objectives.

Cons

- Competition for funding will make it hard to set aside funding for the Suisun Marsh levees as part of the ecosystem program.
- The potential benefits to Delta water quality may not be realized if the effort is limited to the ecosystem restoration program.
- Additional technical evaluation of the potential impacts needs to be done before the Revised Draft EIS/R is released, adding to an already full workload for CALFED or DFG.

Option 3: Evaluate Benefits and Costs of Expanding Scope of Levee Program

Delay decision to expand Levee Program to the Marsh until 1999 (before Final EIS/R) and pursue additional information on the costs and benefits for the CALFED Program. Staff would be tasked to develop cost estimates for expanding the levee program and evaluating the benefits to Delta water quality and other CALFED objectives. CALFED would rely on current

evaluations being conducted by DWR. Preliminary cost estimate for developing the cost and benefit evaluation is \$25,000.

Pros

- This option allows for further information to be developed on the costs and benefits of adding the levees to the program before making a final determination.
- This option allows additional time to work with all appropriate state and federal agencies, local interests and stakeholders on the issues of expanding the scope of the levee program in Suisun Marsh.

Cons

- This option delays the decision until after the Revised Draft EIS/R, which may be a concern for certain stakeholders and agencies when they are reviewing the larger program balance.
- The Suisun Marsh is an area of significant state and federal concern, and the ecosystem linkage to the CALFED Program is sufficient enough to pursue adding to the program without additional delay.
- Additional technical evaluation of the potential impacts needs to be done before the Revised Draft EIS/R is released, adding to an already full workload for CALFED or DFG.

Option 4: Maintain Current CALFED Involvement in Suisun Marsh

Reject extension of the CALFED Program to the Suisun Marsh levees. Funding for levees in Suisun Marsh may be provided under the ecosystem program but would compete in priority order with other ecosystem actions.

Pros

- Reduces the pressure on limited funds and maintains the focus on actions with a clear link to CALFED objectives.

Cons

- Puts at risk the likelihood that the ERP implementation objectives and targets for the seasonal wetlands in the Marsh would be met.
- Marsh stakeholders may resist CALFED restoration efforts to restore tidal action to selected Marsh wetlands.